

## IDAHO STATE ELECTRICAL BOARD MEETING

Division of Building Safety  
 "Board Room"  
 1090 E. Watertower Street  
 Meridian, Idaho

November 6, 2003

### MINUTES

*Note: The following report is not intended to be a verbatim transcript of the discussions at the meeting, but is intended to record the significant features of those discussions.*

The Idaho State Electrical Board held a meeting at the Division of Building Safety, "Board Room", located at 1090 East Watertower Street, Meridian, Idaho on Thursday, November 6, 2003. The following individuals were present:

#### ELECTRICAL BOARD

##### MEMBERS:

Stephen L. Keys, Chairman  
 Dale Pippitt  
 Lee Riley  
 Al Frieze  
 Sherm Akers  
 Gregory Ford  
 Tom Brown  
 Chris Jensen  
 Mark Nielsen

#### ELECTRICAL BUREAU

##### STAFF:

Dave Munroe, Administrator  
 Gary Malmen, Electrical Bureau Chief  
 Kim McDonald, Electrical Administrative Assistant  
 Kay Manweiler, Deputy Attorney General  
 Al Caine, Electrical Licensing/Office Supervisor  
 Jeff Fitzloff, Electrical Inspection Supervisor  
 Tom Loudin, Electrical Region #1 Supervisor

##### VISITORS:

John Cantrell, US Dept. of Labor/Bureau of  
 Apprenticeship/Training  
 Bob Baird, City of Idaho Falls  
 Chuck Lawrence, Kit Home Builders West  
 Ardean Lang, Lang Electric  
 Bob Eugene, UL  
 Mike Gregory, IBEW LU#291  
 Ed Loughney, SW ID JATC

Ned Jones, IBEW LU#449  
 Marc Bernsen, SW ID JATC  
 Jim Weimer, E ID JATC  
 Howard Royal, Roberts Electric  
 Bob Corbell, IEC-HVAC  
 Art Berry, Kit Home Builders West  
 Aaron White, IBEW LU#291  
 Tom Jenkins, E ID JATC  
 Kelly Gilbert, SW ID JATC-Apprentice Fourth Year  
 Brian Crespín, SW ID JATC-Apprentice Fourth Year  
 Brad Barton, SW ID JATC-Apprentice Fourth Year  
 Daron Beesley, Idaho Power  
 Joey Cortinas, Idaho Power  
 Nathan Petersen, IBEW LU#291  
 Dave Bangle, Sandpoint Pump & Power  
 Jeff Cates, Idaho Chapter NECA  
 Dea Roth, IBEW LU#291  
 Ray Hoy, Retired Inspection Supervisor

Chairman Stephen Keys called the meeting to order at 8:20 a.m., asking all board members and public to introduce themselves and thanked every one for coming.

**MINUTES** Sherman Akers made a **MOTION** to accept the minutes of the previous board meeting (July 24, 2003) be approved with the correction listed on page 2 of the Board packet-Apprentice Electrician Requirements (HB 143-ATTACHMENT A, PAGE 1) enclosed. Mr. Gregory Ford seconded the motion and was passed by the board, unanimously.

Chairman Keys directed the board to the Electrical Bureau's Mission Statement in the board packet, (presented for public on the Power Point screen), the Division of Building Safety Employee Chart, and the list of Tips for Handling a difficult Customer. Chairman Keys commented he liked this approach.

**§54-1006(4) Idaho Electrical Board.** The Board was directed by Chairman Keys to page 3 of the packet regarding the election of a Chairman to the Electrical Board, §54-1006(4) in part: *The members of the board shall, at their first regular meeting following the effective date of this act and every two (2) years thereafter, elect by majority vote of the members of the board, a chairman who shall preside at meetings of the board.* Mr. Akers made a **MOTION** nominating Mr. Stephen Keys to be re-appointed as the Chairman. Mr. Ford seconded the motion, and was passed by the board, unanimously.

Chairman Keys commented Mr. Bangle had not arrived yet and hoped the members of the board took the time to read the information provided by the Bureau. Chairman Keys directed the board in proceeding with the agenda items, until Mr. Bangle's arrival. The

Chairman addressing the next item listed, **Proposals for Legislation-59<sup>th</sup> Idaho Legislature-2004 per Electrical Board Recommendations:**

Proposal LIS#450-01, §54-1014-Electrical Licensing Fees. Mr. Malmen informed the board this proposal for increasing License Fees, was not approved due to an excess of funds in reserve. The Bureau had an ending cash balance of \$1,632,472.00 as of November 2003. (One reason there was an increase in the cash balance was, due to the Bureau not utilizing the full Personnel Costs for staff-Inspectors). Chairman Keys then added, the Board would take a different approach next time.

Proposal, LIS#450-02, §54-1019 – This proposal was to set requirements and restrictions for State and Municipal Inspectors in Idaho. Qualifications of State and municipal Inspectors – Restriction on outside business interests-General inspector's test. 1. Irrespective of any other provision of law or rule, all inspectors, including those employed, under contract, or otherwise assigned to enforce the provisions of this chapter, where on a full or part time basis, by or on behalf of the State Division of Building Safety or any municipality electing to claim exemption under this chapter, must possess the following qualifications and adhere to the restrictions: a. Qualifications. All Inspectors shall be skilled in electrical installations with no less than four (4) years of actual experience as a journeyman electrician by possession of certificates of competency prior to appointment and familiar with the provisions of this chapter and rules made both by the administrator and the Idaho Electrical Board .b. Restrictions. No inspectors shall be engaged or financially interested in an electrical business, trade, practice or work, or the sale of any supplies connected therewith, nor shall he act as an agent, directly or indirectly, for any person, firm, partnership, association or corporation so engaged.

2. The Administrator of the Division of Building Safety shall appoint the number of deputy Electrical Inspectors as may be required by the Division of Building Safety for the effective enforcement of the provisions of this chapter. Inspectors employed, under contract, or otherwise assigned to the enforcement of the provisions of this chapter by the Administrator of the Division of Building Safety, whether on behalf of the State Division of Building Safety or any municipality, shall take and pass, before the end of their probationary period, the general inspector's test administered by the educational testing service, or such other tests may be adopted by the Board. The Board may promulgate rules relative to the applicability of this provision to existing electrical inspectors with permanent status in the Division.

Proposal, LIS#450-03, §54-1007 Issuance of Licenses – This proposal was to set the requirements for a licensed Journeyman qualifying as a Master Electrician. (3) Any person who has worked as a licensed Journeyman for not less than 4 years, (increased from 2 years), and who has worked the number of hours as prescribed by rule of the board as a licensed Journeyman. This applicant shall be considered as qualified to apply for a Master electrician's license in this state. Kay Manweiler, Deputy Attorney General explained the process of a proposal for legislation. Once the draft is prepared and sent to the Deputy Attorney General, it is reviewed by Division of Financial Management, and the Governor's office. Upon their approval, it is then reviewed by Legislative Services. Kay Manweiler explained to the board that she had discussed this proposal with Maureen

Ingram, Analyst for Legislative Services, the day prior. Ms. Ingram felt the (Licensed Journeyman requirements) were still too broad for individuals coming from other states. She felt the requirements should be defined in detail within Idaho Code. Kay stated she is working with Ms. Ingram, allowing the board to participate in the language being constructed (defined in detail within Idaho Code), for qualifications of a Licensed Journeyman to become a Master Electrician. The risk is, legislative Committee's will ask Legislative Services their stand on this issue, which can be crucial to the proposal. If we can continue discussing and working with Legislative Services, hopefully this proposal can be accomplished, and if the Board is comfortable with this. Chairman Keys asked the board members if there were any questions or comments. In hearing none, Chairman Keys proceeded with the next item on the agenda.

**IDAPA 07.01.03012 Apprentice Electrician Requirements – §54-1007 Continuation Training (Review/Revisions)** – This next item on the agenda was the revisions reflecting action taken by the Board, (voted and approved on July 24, 2003-Electrical Board Meeting) as it would be in the Administrative Rule IDAPA 07.01.03012, within Idaho Code §54-1007. The draft enclosed in the packet, was on pages 9 and 10, (underlined). Mr. Mark Nielson stated he did not agree with the Continuation Training requirement of one (1) year, as drafted in section e. An apprentice who has not advanced in apprenticeship training for a period of two years shall provide proof of completion of continuation training in order to re-register as an apprentice. Continuation Training is defined as registration in an approved year of apprenticeship class that the apprentice is eligible to attend or repeat of the last apprenticeship class attended. The statistics of individuals meeting the requirements, eligible to test are, (count 200). The individuals not meeting the requirements (non-participants/not in school) are, (count 800), which are competing for the jobs by qualified/eligible Apprentice Electricians. There is quite a bit of positive response by the Industry, related to this requirement, which would mandate all Apprentice Electricians to qualify. Kay Manweiler stated that this could be officially proposed after the next legislative session, which was currently information (non-action) to the board.

**Apprenticeship – Reciprocal Agreement (Montana, Oregon, Washington and Idaho)**  
Chairman Keys asked Mr. John Cantrell, US Department of Labor, Bureau of Apprenticeship and Training, (BAT), to address the reciprocal agreement, explaining the different agencies involved, for clarification. When Congress originated the National Apprenticeship System, they passed the Fitzgerald Act. This meant the states could either, 1). Each State could be their own administrative (registering) entity (Agency) to register Apprentices, (Montana, Oregon, and Washington), as well as 23 other states. Or, 2). If the State chose not to be their own registering entity, for that reason, the US Department of Labor, Bureau of Apprenticeship Training, (BAT), will function as the registering Agency. BAT assists Employers to facilitate their Apprentices to job locations. Employers voluntarily register with BAT, ensuring the Apprentice's work experience will be tracked/acknowledged when reciprocating. Idaho has elected not to be a registering-agency, as the remaining 25 States, therefore an agreement has been initiated and approved between the four states (Washington, Oregon Montana and Idaho) as of June 19, 2003. Mr. Cantrell defined the modifications of this agreement, in part:



Item III, c. The Apprentice has completed a minimum of 1,000-On-the-job-training, (OJT) hours in the Apprenticeship program, (BAT-Program). Previous credit hours cannot be counted towards this requirement. And, d. The Program (Apprentice) that the Apprentice is registered in, has been recognized by the Registration Agency, (Idaho), for a minimum of six months. The Apprentices mentioned in this agreement, are for the Apprentices registered with the US Department of Labor, (BAT). Mr. Cantrell explained there was some confusion within the Industry related to what is considered, Registered. It could be registered with school, registered with the state in which they are working, registered with BAT, or registered with the originating state, (residency, home state). Title 54, Chapter 10 applies to BAT, (non-registered) Apprentices. *Editor's Note: The Electrical Bureau was not aware that this agreement was being formulated, nor was the Bureau asked for any opinions or comments (regarding the language) of how this agreement would affect Electrical Contractors and Apprentices in Idaho.* Chairman Keys asked for comments, in hearing none, he announced the Board would take a break for ten (10) minutes.

**Construction and Installation of Pump Controllers** Chairman Keys called the meeting back to order at 9:30 a.m. and announced Mr. Dave Bangle, an Electrical Contractor, with Sandpoint Pump and Power would be the next item on the agenda. Mr. Bangle introduced himself explaining previously he had requested (in writing) on August 5, 2003 to Mr. Dave Munroe, Administrator for Division of Building Safety, to speak at the next board meeting on November 6, 2003, regarding a letter Mr. Bangle received, dated July 31, 2003 from Mr. Gary Malmen, Electrical Bureau Chief, and two (2) revised Electrical Correction Notices dated July 28, 2003. Mr. Bangle was sent an invitation letter dated September 19, 2003 by Mr. Dave Munroe as on page 4 of the board packet. Mr. Bangle continued by handing out packets to all board members, containing information that he had put together regarding building control panels. He proceeded to explain that he had been licensed as a Journeyman Electrician, installing (sewage) pumps and controller systems since the late 1970's. When Mr. Bangle started this type of Pump Installations, he was able to work with the excavation contractors and electricians to make this type of installation easier, by changing their (Excavation and Electrical Contractor's) methods. According to Mr. Bangle, at that time, he was the only Electrical Contractor installing these types of pump installations and there were no clear methods for Sewage Pump installations by the National Electrical Code, NEC. The (sewage) pump and controller system installation changes made the troubleshooting, replacement and maintenance easier (for the Electrical Contractor), as well as making the float switches last longer. In the last 20 years, these installations have been approved.

Mr. Bangle's first correction notice (ATTACHMENT B, PAGE 1) was dated March 18, 2003, Permit# C480857 by Mr. Dave Peterson, Electrical Inspector for NEC Reference 110.3b - Listed equipment shall be installed for Pump Controllers. In Mr. Bangle's packet, under section 1 was a copy of this Correction Notice and copies of the UL Listing information for those particular components. Mr. Bangle didn't make the correction because he could not find the violation and wrote on the correction notice: "No corrections have been made, as all equipment is listed", then faxed the notice and information on April 2, 2003 to the Electrical Bureau.

Mr. Bangle stated he didn't want to have to install a \$400.00 dollar controller to replace parts, with the chances of the part being obsolete by a supplier going out of business, (or) the design (circuit board) being changed, etc. This added complexity in going to the pre-built, UL approved, panels costing \$6000.00 plus \$3000.00 maintenance fee, verses a simple contactor, and alarm light. Mr. Bangle stated after receiving the Correction Notice #C480857, he contacted Mr. Dave Peterson and Mr. Tom Loudin, Region #1-Coeur d'Alene Supervisor. Mr. Bangle and Mr. Loudin met several times to discuss the issue. Mr. Bangle explained that Mr. Loudin informed him, that per the Electrical Bureau policy, if there were more than two electrical components installed, it had to be installed under a UL label as an assembly. At that time, Mr. Bangle was given a copy of the Administrative Rule, and a copy of UL 508A-recommendations and specifications. Mr. Bangle felt the biggest concerns of the Bureau were, the light fixtures were not inside the cover, the termination needed to be a terminal strip, and the box was too small.

Mr. Bangle's second correction notice SEE ATTACHMENT B, PAGE 2, was dated April 2, 2003, Permit # C480856 by Mr. Peterson, Electrical Inspector for NEC Reference (110.3b), Listed Equipment shall be installed for Pump Controllers and Reference (430.102B), Disconnect means shall be located in sight from motor locations. On April 14, 2003 Mr. Bangle faxed the correction notice with a note: "No corrections made, no violations found", and a letter SEE ATTACHMENT B PAGE 3 to the Electrical Bureau asking for clarification as to where this requirement is, under Idaho State Law and the NEC? Mr. Bangle stated that he didn't receive a response to this letter. He then received a letter dated June 20, 2003, (SEE ATTACHMENT B, PAGE 4 & 5) with a copy of the first Correction Notice original: (ATTACHMENT B PAGE 1) for Permit #C480857. The letter explained, if the corrections to this location have not been completed and signed by Mr. Bangle with in 15 days from the date of the letter, (July 5, 2003), he would be subject to a Civil Penalty. If Mr. Bangle had questions, to please call the Electrical Inspector, Mr. Dave Peterson at (208) 443-3063 or, the Electrical Inspection Supervisor, Mr. Jeff Fitzloff at (208) 332-8980. Mr. Bangle stated that he made some calls and never received a call back.

Mr. Bangle contacted Senator, Shawn Keough-Sandpoint, Idaho, to explain his issue. Senator Keough then contacted Mr. Dave Munroe, Administrator to coordinate a meeting with Mr. Gary Malmen, Electrical Bureau Chief and Mr. Steve Keys, Electrical Board Chairman. This meeting took place just prior to the regular scheduled Board meeting on July 24, 2003 in Post Falls, Idaho. Mr. Bangle felt the meeting went well.

(At the July 24, 2003 Post Falls meeting, Mr. Bangle was told that he was not required to hold a UL 508 certification to build these types of panels. Mr. Bangle requested previously (Post Falls meeting), that the Electrical Bureau re-do the correction notices, identifying Code articles related to the listing, as it pertains to the NEC requirements and UL 508A. *Editor's Note: (See Attachment B, pages 6, 7 & 8, as noted below).* Chairman Keys asked Mr. Bangle (at the Post Falls meeting), if Mr. Bangle was comfortable receiving this information by the Bureau because if not, this could be addressed today (July 24, 2003) Board meeting, by the Board members. Mr. Bangle agreed that receiving

this information by the Bureau was fine. Mr. Bangle was given recommendations to use UL 508A and the NEC requirements for the construction of Control Panels).

Mr. Bangle stated (*present meeting-November 6, 2003,*) that his understanding was all parties at the July 24, 2003-Post Falls meeting would receive a letter from Mr. Malmen explaining the resolution of the Post Falls meeting.

The next letter sent to Mr. Bangle, from the Electrical Bureau, was dated July 31, 2003. (SEE ATTACHMENT B, PAGES 6, 7 & 8). This correspondence was a synopsis of the meeting on July 24, 2003 in Post Falls regarding the importance of installing, servicing and repairing water and sewage pumps, specifically to electrical pump control panel installations. The Electrical Bureau enclosed additional, detailed information (NEC Articles & UL 508A information) to assist in identifying the issues related to control panels along with information to Idaho Code 54-1001 Declaration of Policy, NEC-2002, Article 110.3 Examination, Identification, Installation, and Use of Equipment, National Fire Protection Association, NFPA and American National Standards Institute, ANSI information. The Electrical Bureau's letter explained that Sandpoint Pump and Power issued permits# C480857 & C480856 for electrical installations of sewage control panels that had outstanding corrections not completed. The Bureau also enclosed the two correction notices (Permit-C480856 dated July 30, 2003 and Permit-C480857 dated July 28, 2003) (ATTACHMENT B PAGES 1 & 2) identifying the Code articles related to the listing, as it pertains to the NEC requirements- (*Editor's Note: As requested by Mr. Bangle at the July 24, 2003-Post Falls meeting held prior to the regular Board meeting*), along with a list of Sandpoint Pump and Power's current, active, open permits (dated January, 2002 to current) that may relate to this specific type of installation. The Bureau's letter asked for assistance from Mr. Bangle, to schedule and expedite the inspections from this list enclosed, so that the permits may be concluded. The Bureau extended an additional 60 days for the corrections to be made and reminded Mr. Bangle that his Electrical Contractor's License was due for renewal. *Editor's Note: (License renewal paid August 8, 2003).* Mr. Bangle stated that most of the violations did not pertain to the installations. Upon a phone conversation with Mr. Munroe in the afternoon of August 5, 2003, Mr. Bangle submitted a letter (ATTACHMENT B, PAGE 9) that same day, by fax, requesting an appeal before the Electrical Board regarding the two correction notices dated July 28 and 29, 2003 and the letter from Mr. Gary Malmen dated July 31, 2003.

The Electrical Bureau sent important documents related to the Sewage Pump Installations by Mr. Bangle, October 29, 2003 in the mail, along with the regular Electrical Board packet for the forthcoming Board meeting on November 6, 2003.

*Present Board meeting-November 6, 2003,* Mr. Bangle proceeded with his Appeal by directing the board to his packet (ATTACHMENT B PAGES 10, 11, 12 & 13), addressing the Electrical Correction Notice Rebuttal. He explained the code violation (first column), the Correction Notice description (second column), and Mr. Bangle's interpretation and clarification (third column). Mr. Malmen deferred the responses to Mr. Jeff Fitzloff, Electrical Inspection Supervisor.

**Mr. Bangle's Correction Notice rebuttal listing all violations.**

**1. VIOLATION: Article 110.3b-** Listed and labeled equipment shall be installed and used in accordance with any instructions included in the listing or labeling. The Bureau felt that a Junction Box could be used as a Motor Control Enclosure (If the instructions were followed). The clearance (for the way it is used) was a concern and the light (being mounted directly to the enclosure) was also a concern.

CONCLUSION: The board felt the use of the enclosure (if everything else is appropriate) was not a point of disagreement. This is considered as a Motor Control Enclosure Article 430.91 and is listed as such. Mr. Malmen commented this enclosure is built and utilized, as controllers therefore, there are several items that need looked at.

**2. VIOLATION: Article 312- Cabinets, Cutout Boxes, and Meter Socket Enclosures.**

Mr. Fitzloff commented this installation, in his opinion, should follow NEC Article 312, as a Cabinet for a Motor Control box. Mr. Malmen stated, there is a question of the wire bending regarding the proximity of the relays within that cabinet. Do these meet the requirements? There is an issue of the closeness (clearance) of the box, the wires (for wire-bending) in side the box. (Listed) enclosure (6x6x4 in size) is too restrictive (inadequate) and does not meet the 2002 NEC Code. The Bureau is following the requirements of the administrative rule by having the equipment listed as a listed assembly or the Bureau would have the installer take out an electrical permit for the Bureau to evaluate the installation. If the Bureau is not comfortable (being too detailed or complicated), with the installation, there would need to be a third-party evaluation of the installation.

CONCLUSION: The concern of the Bureau and the decision made by the Board was that Sand Point Pump and Power's Control Panel Enclosures are inadequate (not big enough) and clearances are too restrictive

**3. VIOLATION: Article 314- Outlet, Device, Pull, and Junction Boxes; Conduit Bodies; Fittings; and Manholes.** Mr. Bangle stated that the box was an enclosure.

Mr. Fitzloff stated that his understanding was this Junction Box was labeled on the side as such.

CONCLUSION: Mr. Bangle asked if there was a decision on this violation. Chairman Keys stated the Board would address the clarification of this type of box, at the end of the discussion.

**4. VIOLATION: Article 408- Switchboards and Panel Boards.** Mr. Bangle stated this was a Motor Controller Enclosure. Wire Nuts also meet the requirements for termination per Article 110.14(B)-Splices. Mr. Bangle stated he understood that the Bureau would like to see terminal strips within the enclosures per UL 508A and the NEC, but felt there was not room in these small enclosures. He felt this would squeeze the conductor out, over a period of time. There has never been a problem with the wire nuts and he feels that there is no reason why he could not continue using the wire nuts. Mr. Fitzloff's replied, all switch boards and Panel Boards must have a terminal strip, per the NEC 2002 for Grounding Conductors. The box that Jeff had in his hand, came with the wire nuts already inside, as UL approved per Mr. Bangle. Mr. Fitzloff read the UL sticker on the box, Enclosure Industrial Control Panel Board, which falls under Panels. Mr. Mark



Nielson stated there is still a question as to what type of box this is, not all Board Members concur to whether it is a Motor Controller Enclosure or a Junction Box. Mr. Bob Eugene, Underwriters Laboratories, UL, commented, if a product goes through a listing process, (an initial evaluation), and (follow-up inspections), under UL 508A, if the item is listed as an Industrial Control Panel Board, there are two paths that can be taken, 1. Listing- Have a third-party evaluation (look at all the terminals, wire bending, corrosion protection of the Enclosure, either case, field evaluated or listed, the enclosure is under UL 508), or 2. Installation within accordance with the National Electrical Code- which states, you need to follow all the Chapters 1 through 4, and may be in accordance with other provisions of Chapters, 5 through 8. A general rule of internal wiring (for Industrial Control Panel Boards), will be utilized in terminal blocks, set screws, etc.

CONCLUSION: Mr. Fitzloff asked Mr. Eugene, wouldn't these particular cabinets or enclosures be considered to meet the standards of Industrial Control Panels under UL 508? Mr. Eugene, said Yes.

**5. VIOLATION Article 408.18- Enclosures.** The discrepancy is that the cover could be removed while energized, most controller enclosures provide for disconnecting the power prior to opening the enclosure to service or adjust components. Mr. Bangle contended that it would be different based on whether or not this is a Motor Controller Enclosure or a Panel Board Enclosure.

CONCLUSION: Based on the Board's discussion and the NEC, the double units are required to have a dead front or interlocked disconnect to provide for adjusting or servicing internal components.

**6. VIOLATION Article 408.20- Grounding of Panel Board.** The discrepancy is whether or not the requirements are met for the grounding and wiring.

Mr. Ford commented in looking at the pictures, the grounding screw was in place. Mr. Bangle added that the green pigtail wire and all the grounds that were connected to it were in place with the wire nut.

CONCLUSION: Mr. Fitzloff stated he had not previously seen all the grounds connected to the green pigtail wire, in place with the wire nut. The Board excused this violation.

**7. VIOLATION Article 410.20- Equipment Grounding Conductor Attachment.** Mr. Bangle concurred with this violation having the potential of being a problem.

CONCLUSION: Both Mr. Bangle and the Board have agreed that the installation will either be mounted with an offset nipple connecting the light box to the side of the enclosure or use an indicator light, both being connected 100% of the time by an equipment grounding (bonding) conductor, allowing access for maintenance without breaking the equipment grounding connection.

**8. VIOLATION Article 430- Motors, Motor Circuits, and Controllers.** Mr. Bangle explained that the power is brought in for control, and to feed the pumps. The control is for high water alarm, which is part of the system.

Mr. Fitzloff stated the violation was due to the light being connected by wire nuts instead of to a terminal strip. Circuits in the box are tapped off at the terminal. (It cannot be spliced in a wire nut). So the splicing is a violation. Chairman Keys stated, if the light

was mounted on a separate box, it becomes external, and then it could be connected with the wire-nut.

Mr. Nielson felt this light is part of the installation, but Chairman Keys disagreed by explaining, the light being mounted on a separate box (no different than an indicator light) on the outside of a shed. This is an external (indicator) device.

CONCLUSION: Mr. Bangle agreed to mount a separate box to the enclosure.

Article 100- Mr. Bangle stated that UL Standards 508, only apply to companies building UL products, required by UL to bare their label. Mr. Fitzloff stated this article was identified for informational purposes. Chairman Keys stated that the Board needed to get to the core of these issues.

REQUEST: Mr. Bangle asked the Board to erase the violations and Correction Notices, and requested the Board to have these requirements available to other contractors for information. The Board members agreed to have available information, by a News Brief Article and on the Web site listing the general overview of requirements for building such panels with the inspection parameters. Mr. Bangle stated a concern in relation to building this type of panel, limited to the \$400.00 enclosure, the time frame this process has taken, and complying with the rules and requirements. Mr. Bangle's felt the State was trying to establish delays for building such panels.

Chairman Keys stated that Control Panels built by Sand Point Pump and Power do not meet the requirements of IDAPA 07.01.10, which states the enclosures need to be listed, tested and certified, otherwise the alternative options are: (1) getting UL Approved device or assembly, (2) take out an Electrical Permit and have an inspection performed by the Bureau, (if the Bureau is comfortable - as long as the equipment does not need expertise evaluation) thus not having complex equipment, and 3) have a third-party field evaluation.

Chairman Keys stated that UL has put together training seminars specifically defining the requirements of UL 508A. If there are enough requests for this training, UL will conduct more seminar trainings. Mr. Bangle agreed he would attend the next seminar. *(Editor's Note: It is the Bureau's understanding that Mr. Bangle has been in contact with UL, however, to the best of the Bureau's knowledge, Mr. Bangle has not enrolled or taken the 508 class. The last scheduled seminar/class was December, 2003)* The Board informed Mr. Bangle, the following requirements for this type of installation and for future installations are: the indicator light will be mounted separately from the box, the wiring for the lights will be grounded, bigger enclosures- (suitable for equipment installed for enclosures), and terminal strips will be used to connect or terminate wiring within the enclosures. Also, Mr. Bangle was informed that all current, outstanding (open) permits, not approved since January 2002 to current, for Sand Point Pump and Power, are found with violations, will be listed, identified and submitted to Mr. Bangle in writing, (per Idaho Code 54-1004). Chairman Keys explained the enhanced education and inspection of installations are required for safety. Ms. Kay Manweiler, Deputy Attorney General commented since this was an official Appeal, there will be an Order for signature listing the requirements of these installations for Mr. Bangle to review and sign.

Chairman Keys asked Mr. Malmen for any comments. Mr. Malmen explained, if the Bureau is inspecting and evaluating these installations, they will be evaluated within the sources available and pertinent to the equipment and installations such as: Idaho Code and Administrative Rules, National Fire Protection Association, (NFPA) Standards, Underwriters Laboratory, (UL) Standards and (or) American National Standards Institute, (ANSI) Standards which are used as tools for a safe installation.

**Modular Buildings-Electrical Requirements-Request for Building Code variance.**

Chairman Keys stated Mr. Arthur J. Barry, Kit HomeBuilders West, Board Chairman had submitted a letter dated August 4, 2003, to Mr. Steve Keys, requesting a variance from the State Building Code Provisions. This would allow non-licensed electricians to perform on-site, electrical installations, for Residential and Commercial- (modular buildings), during the construction process, within factories/plants. This request letter was in the board packet starting on page 18. The same request letter was then sent to Mr. Gary Malmen, Electrical Bureau Chief dated August 12, 2003, asking for the same building code variance. As stated in Mr. Malmen's response letter dated August 21, 2003, for the Board members to entertain such changes (creating a new specialty-licensing category), to the Administrative Rule, for non-HUD manufactured buildings would require more discussion by the Board members. Mr. Barry addressed the Board to reiterate the justifications for this request: The Code and Regulations allows us to ask for an exemption under §54-1016, this variance request, and if the variance is granted, it will simplify the licensing and inspection process of electrical installations for modular buildings. If request is not granted, it will not only affect the industry financially, it will give the assumption that our Apprentices and Journeyman within our plants/factories, (with limited minimal hands-on experience), enough experience to work as a licensed Electrician for other companies (without full knowledge and training requirements). Chairman Keys informed Mr. Barry that the Board could not grant this request, the exemption must be granted through a change in Idaho Code by the legislature. Mr. Barry asked the Board for support to propose legislation allowing this exemption. Chairman Keys explained that the Board was not in a position to grant this request. Such changes would require submission of Administrative Rule, therefore, the Board was unable to support Mr. Barry's request, at this time. Chairman Keys suggested (in relation to the building Codes and Modulares), defer to the Manufactured Home Statues.

**Fiscal Reports-**After lunch, Chairman Keys called the meeting to order at 12:43 p.m. and announced the next item for discussion was the Division of Building Safety, Electrical Bureau-Fiscal Reports, given by Marsi Woody, Financial Officer, starting on page 59 of the Board packet for September 30, 2003. Marsi handed out the most recent Fiscal Reports (**ATTACHMENT C, PAGES 1, 2, 3 & 4**), for October 31, 2003 and directed the Board to the 2004 Revenue Comparisons Report. Marsi announced October 2003, was the biggest month ever, for Inspection Fees, increasing to \$ 351,184.00. The FY 2004 Revenue / Expenses Report, Capital Outlay expense was \$47,121.00. This was to purchase new vehicles appropriated from last year FY2003, paid for in this Fiscal year, FY2004. Cash balance was still healthy, \$1,578,369.57. Mr. Dale Pippitt asked what was the expense under code# 5901-Rentals & Operating Leases of \$69,874.85? Marsi



explained this outlay amount was for (7) months of rent on this building, (Meridian Office) and the other (5) month's rent will be paid in January FY2004. The rent for the Coeur d'Alene office was paid in August FY2004 showing \$7369.74. This was Electrical's portion of rent based on square footage. Mr. Sherm Akers referred to page 59 and 60 of the Board packet-Idaho Legislature Budget Watch, October 2003, Monthly Revenue Update published by Ann Heilman, Division of Human Resources. Specifically to page 60 under State Employee Salary Recommendations and Custom Bonuses, asking for clarifications. Marsi explained that these are recommendations (non approved) only, we will not know what the Honorable Governor, Dirk Kempthorne's recommendations are, or any other related information until the next Legislative Session regarding salary increases. It would be nice to receive a 6.8% salary increase, as the Division of Building Safety has not received salary increases for over two (2) years. Mr. Akers asked Marsi what was Line Item # 7. on page 59? *Editor's Note, Item (7) read: If no CEC is possible because of budget constraints, provide a pool of funds equal to 2% for a one-time retention and recognition program. The funds would be used for one-time awards, of up to 10% of an employee's salary.* Marsi explained this was a bonus (one-time) for an employee who performed their job above and beyond the call of duty. Ms. Kay Manweiler commented, many agencies are not replacing employees who have left the State of Idaho, so the remaining employees (who stay), are doing the work of two or more employees. The Legislative Services Office is trying to find ways to reward employee's within agencies that are performing the work of several positions, without making a long-term financial commitment. Chairman Keys voiced a concern of the Bureau in relation to the liability of Permits, Fee's collected and the number of inspections. Marsi stated that this information comes from the Electrical Bureau to the Division of Building Safety, (DBS) - Administration and reported (accountability) once a year to the State of Idaho, Consolidated Annual Financial Cap. Mr. Malmen asked Marsi to assist in explaining the Appropriations to the Board for FY 2002 \$3,576,300.00, FY03 \$3,742,900.00, FY04 \$3,609,900.00 and the Request Appropriation for FY 2005 \$4,103,900.00. The Reverted (withdraw) Appropriation is the amount that was authorized, but not spent by DBS (cost savings such as replacing vehicles at 120,000 miles, instead of 100,000 miles, etc.). The Division is estimating a 5% holdback in FY2004. Marsi listed at the bottom of this report, the high points of FY2005 Request, which had an increase of 14%. This is broken down by, the request to hire 3 additional Electrical Inspectors, (1-Northern Region-CDA, 1-Eastern Region-Pocatello and 1-Meridian Region, -FTE-Split by, Part-time Plan Reviewer and Part-time Inspector), 6 replacement vehicles and 3 additional new vehicles for new inspectors. The computers for the Division have been (in past Fiscal years) replaced on a three-year replacement-cycle. This appropriation amount of \$57,900.00 is based on a (five-year) replacement cycle and an Information Systems Technician, (IT). This requested position will be supported by all Bureaus, (22% supported by Electrical, \$22,700.00). Other increases by the Division in this request are, 3% Lease increase, and an increase in benefits. Chairman Keys asked for any questions, in hearing none, the Board was directed back to page 15 of the Board packet.

**Master Electrician – Responsibilities and Requirements.** Chairman Keys asked Mr. Malmen to address this item starting on page 15 of the Board packet. Mr. Malmen



explained this issue was discussed by the Board members (previous Board meeting, July 24, 2003) to incorporate the Master Electrician Requirements as a qualification, to qualify as an Electrical Contractor. The Bureau has provided the Master and Electrical Contractor requirements, to be presented for the Board's review, and modifications today. This draft then would be brought back in February for approval, to proceed as proposed administrative rule changes. Mr. Al Caine clarified the existing Electrical Contractors that currently have a signing Journeyman, would not require changes, (affected by this draft), until the Electrical Contractor replaced the Signing Journeyman. Upon replacement of the Signing (Supervising) Journeyman for an Electrical Contractor, the Signing Journeyman would need to be a Master Electrician (as a qualifier), for any new contractor (from the time rule would take effect tentatively-July, 2004). This would be an incentive to become licensed as a Master Electrician, and improve the qualifications for an Electrical Contractor. Mr. Chris Jensen commented that he did not see the benefit in this modification to the Contractor. Mr. Caine explained that currently, any individual that has held a Journeyman license with 2-years of experience, qualifies to apply for a Master Electrician License. These drafted changes, will require an individual to have 4 years experience, prior to applying for a Master License. Mr. Mark Nielson addressed a concern regarding out-of-state applicants for a Master License: Idaho Journeyman-license requirements state in part: (§54-1007 Issuance of Licenses—Reciprocity (4)- Any person with out-of-state experience who has worked as a Journeyman Electrician or as an apprentice electrician for a period of 4-years, who has met such other requirements as established by rule of the board, shall be considered as qualified to apply for a Journeyman Electrician's license in this state). Ms. Kay Manweiler, Deputy Attorney General addressed the Board to consider the rules that would need to be changed as the Statutes are currently proposed, if successful. Legislative Services are resistant on the same grounds as Mr. Nielson. They are concerned with how reciprocity might work with respect to the Individual coming from other states. Until the Legislature acts on the Statutes (changes), we cannot take final-legal action. Mr. Al Frieze made a **MOTION** to ask the Electrical Bureau to continue developing this draft (with the current changes as on pages 15 & 16 in the Board packet), additionally addressing Mr. Mark Nielson's concern (as stated above and underlined), and to bring forward at the next meeting. Mr. Lee Riley seconded this motion and was passed by the Board.

**Licensing Exemptions Idaho Code 54-1016- Modifications to Property Owners, Communications, Electrical Utilities and Maintenance.** Chairman Keys addressed this item on the agenda starting in the packet on pages 32, 33 and 34 listing the statutes of 54-1001, 54-1002, 54-1003A (Exemption definition options). Mr. Malmgren explained that at the last board meeting, the Board had deferred to the Industry to report idea's and concepts to assist 54-1016, there were none received, so the Bureau has put together idea's (as drafts), for the Board to discuss. Mr. Caine then directed the Board to pages 35-format revision only, page 36- Communications Exemption only, page 37-Utility only, page 38-Property Owner only, and page 39- Maintenance only defining 54-1003A, there is no such thing as a "Maintenance Electrician, but there is an Electrical Maintenance Exemption, and page 40-all four (4) exemptions put together. This is a working draft, and if copies are needed, contact Mr. Caine and it will be sent electronically or as a document (paper) form. Chairman Keys complimented Mr. Caine for doing an outstanding job on

these drafts. Mr. Malmen addressed City of Boise's News Brief (ATTACHMENT D, PAGE 1) related to Property Owners with exceptions and what is allowed by a Property Owner. (Attachment C, page 1), reading: While these code provisions allow Owners to obtain permits to perform the work with some limitations such as: Permits shall only be issued to the property owner of record, Scope of work is limited to a single-family residence or duplex, the Property Owner/permit holder shall be responsible for requesting the required inspections and complying with minimum code provisions, and Electrical permits shall not be issued for electrical installations relating to swimming pools, hot tubs, spas, hydro massage tubs, fountains and similar installations, or any hazardous locations defined in Article 500-514 of the NEC. Mr. Malmen asked the Deputy Attorney General can municipalities restrict property owners to more limited requirements than provided under the State law? Kay's opinion was, that she felt that the municipalities had the capability of (restricting and declining) property owners within their jurisdiction, and being more stringent or restrictive than what Idaho State Laws allow.

**Electrical Requirements for Residential Septic Systems.** Chairman Keys directed the Board to page 41 of the Board packet deferring to Mr. Malmen. Mr. Malmen explained that the Electrical Board addressed the issue in 1999, as stated at the bottom of page 41 of the packet. At that time, the Board approved Well Drillers and Water Pump Installer Licensees' to install wastewater pumps in residential locations. This was a result of NFPA Article 820 revisions de-classifying residential effluent, grinder and ejector pumps as non-hazardous locations, (not more than 5 dwellings). It was the Bureau's recommendation to revise the Administrative Rule accordingly, which is more restrictive than Article 820. After some discussion by the Board, the decision was to incorporate, (as underlined) in IDAPA 07.01.04.014.06, d. Individual Residential Wastewater Pumping Units: Install, Maintain, repair and replace all electrical equipment, wires and accessories from the pump motor up to and including the disconnecting device for systems that serve one (1) and two (2) family residential installations. Chairman Keys stated that the Bureau was to proceed with adoption of this rule in the spring after the legislature convenes.

**Rules Governing Electrical Inspection Tags (Permits).** Chairman Keys addressed this next item on pages 66, 67 and 68. This was to update the Administrative Rules, to reflect the change of address and is highlighted as such for approval by the Board. Chairman Keys clarified with the Deputy Attorney General if there needed to be an Emergency Temporary Rule proposal. Her reply was no, there didn't need to be a temporary proposal. Chairman Keys asked for questions by the Board and any objections, in hearing none, proceeded with the next item.

**Energizing Electrical Installations after a Fire.** Chairman Keys directed the Board to pages 110 through 116. Mr. Malmen explained a concern of the Bureau: when a fire occurs in a (structure-residence or building), the Fire Department de-energizes the location, (shutting-off) the power. A permit is taken out for the repairs, once the repairs are completed, the power provider receives a permit copy (Contractor Power Supplier), to re-energize the service. There are no provisions for a Contractor to request an inspection, prior to re-energizing this service. Mr. Malmen asked the Board for their endorsement for a Board-recommendation that an inspection be performed, after a structure fire, (by the

Municipal or State Electrical Inspector), prior to re-energizing. Mr. Malmen explained this was an issue of concern and safety. Chairman Keys stated his concern, if this happens on a weekend, etc., we need to have a certain time frame to have the location inspected and energized. The Deputy Attorney General asked how would the Bureau enforce this? After some discussion, the recommendation was to leave it up to the local Fire Department or Fire Marshall, (local jurisdiction).

**Electrical Licensing Reports.** Chairman Keys directed the Board to Packet Pages 69, 70, 71. Mr. Al Caine assisted with the reports explaining the Exporior Report page 69, will now be kept as historical information as they completed their last exams in August, 2003. The exams performed after August 2003 and in the future are administered by BSU Assessment-page 70, and developed by the Division of Building Safety. The pass rate for the Journeyman's exam is comparative with both. On page 71 is an End of Month Scores as a means for exam statistics, by Regions. The walk-in's listed on the report are abbreviated, (Wins). Page 72 is a Journeyman (First Attempts) from July 2003 to current (July, August and September, 2003), categorizing the locations for testing and the percentages of tested (T) and passed (P). Chairman Keys asked for any questions, in hearing none announced a ten-minute break.

**Reciprocity – Alaska, Arkansas and Multi-State Meeting in Idaho.** Chairman Keys called the meeting back to order at 2:10 p.m. and asked Mr. Caine if he could update the Board members on this issue. Mr. Caine announced that previously Alaska had originally intended to pull out of the Reciprocal Agreement due to Alaska being down to one inspector, and their Bureau was no longer supporting Continuing Education. Alaska has been utilizing the Multi-State Agreement to assist in negotiations with their state board and agency so that their requirements will not be reduced. After discussion with Alaska, they have reconsidered and will continue in reciprocity.

**The Multi-State Journeyman Electrician Reciprocity Meetings** have been held once a year since 1994. The first year was held in Idaho, then Montana, Washington, Nebraska, Minnesota, etc. Idaho will be hosting again next year, August 2004, then it will be held in Wyoming, and Utah. Mr. Caine invited Board members to attend. These meetings are very informative and communicates the issues different states have, such as, one state having problems with Licensing to another reciprocating state, or continuing education, etc. At the meeting in Nebraska, Arkansas requested to become a member of the Multi-State Agreement, thus making this group stronger. Mr. Sherm Aker's made a **MOTION** to accept Arkansas as a member of the Multi-State Group. Mr. Chris Jensen seconded the motion and was passed by all members, unanimously.

**Electrical Bureau- Permit/Inspection Reports** in the Board Packet pages, 101, 102 and 103. Chairman Keys asked Mr. Malmen to address this next item. Mr. Malmen stated that this proposal to Mr. Dave Munroe, Administrator, on October 8, 2003, was intended to identify the Electrical needs and concerns of Inspectors and Staff. The Bureau's total permits issued for FY2002 was 35,000, a 9% increase. There was 68,000 inspections performed, a 12% increase. In Region #1-Coeur d'Alene, Inspector Kline works part-time for Bonner and Boundary counties, completing inspection requests within 16 hours, and



responds to code and installation inquiries from contractors and the public. Mr. Kline's active/issued permits (as defined on page 102), has increased to a full-time inspector. The Bureau has requested one (1) FTE, Full Time Employee position for Bonner and Boundary Counties to service these demands. In Region # 2-Southwestern Idaho, the Plan Reviewer position has become vacant as of December 2002. Certification as a Plan Reviewer is required for the position. The first quarter of FY2004, the Bureau performed 107 plan reviews, (197 man-hours). In addition, Inspector Kevin Hubble for Valley County has an excess of 1000 issued/active permits due to the growth in Valley County and proposed impact of Tamarack Resort. The Bureau has requested one (1) FTE, to share the Plan Review duties (part-time, 40%) and Inspector duties (part-time, 60%), in Region #2 for support in performing plan reviews and to maintain safe and timely inspections. In Region #3-Pocatello, the vacancy of a Region Supervisor, due to the closure of the Pocatello Office, has shifted the permits to the inspectors, and Supervisor duties to Meridian. (The announcement for this position has gone out, and has been filled by Mr. Kevin Gellings). The permit and inspection workload in this area has become difficult to maintain, specifically to the Teton, Madison, Freemont and Jefferson Counties. On an average, the two inspectors in these areas work 4 to 8 hours over time, within a two-week time frame. The Bureau is requesting one (1) FTE position to support this area, bring the issued/active permit count down to a level that is workable to maintain electrical safety and customer service. Chairman Keys asked for any questions, in hearing none, he directed the Board to page 104 and 105, of the Board packet.

**Light Poles/Disconnects/Fuses.** Chairman Keys introduced the next item on the agenda regarding Disconnects for Light Poles. The current installations are required by the 2002 National Electrical Code to have a service switch (disconnecting means) readily accessible location nearest the point of entrance of the service conductors. The 2002 NEC also provides an additional option for lighting standards (poles) that the disconnect shall be permitted to be located elsewhere on the premises (remote), if not located on the pole.

Mr. Tom Brown presented pictures to the board members illustrating his concerns with the requirement of installing disconnects on light poles. He also stated that the disconnects mounted on poles pose a hazard of being torn apart by vandalism, lawn mowers, etc. Chairman Keys commented that there has been a bigger hazard created by this requirement, than what was intended to be eliminated. So the Board has two options: Require a separately (remote) mounted disconnect (or) to accept the fuse holders (within the pole) instead of a disconnect mounted on the pole.

There was brief discussion regarding the utility easements and utility exemption (Idaho Code 54-1016) from the NEC requirements. The discussion then focused on the servicing of the light poles and safety issues. Since service entrance conductors (un-fused) are contained within the pole, the servicing/maintenance of such installations could pose other hazards and additional concerns. A utility company may be called to service the light on the pole or it could be a licensed electrical contractor, property owner, or the homeowner association maintenance employee. It may not always be a qualified, skilled individual maintaining the light and/or the pole. Mr. Al Frieze commented that the



current disconnects and placement of those disconnects was not suitable for the prevailing conditions.

The voltage feeding the lights usually is 120 to 240 volts, and in some cases it can be 480 volts. The Bureau suggested requiring that the disconnect be remotely located at the source (utility) thereby providing a feeder to the pole which would eliminate the need for a disconnect to be mounted on the pole (the NEC allows the disconnecting device to be located remote or on the pole). Supplemental over-current protection (breakaway or inline fuses) could then be installed inside the pole.

Mr. Brown suggested that the Board make a ruling to allow fuse holders (internal fuses) in place of a disconnect switch mounted on the poles, which Mr. Brown felt was a hazard. *Editor's Note: This suggestion would require an Administrative Rule revision since this action would be a change from the NEC.*

Chairman Keys commented that this was a clear problem now and what did the Board want to do: change the exception to the NEC, or do we want to re-address mounting of the disconnect (location) in the simplest way? After some discussion, there was a recommendation to accept a remote (service) disconnecting means. Mr. Greg Ford made this motion, and was seconded by Mr. Al Frieze. All Board members agreed except for Mr. Tom Brown.

The Board's continued discussion raised some questions: 1. How do you address the current poles that are not suitable? 2. Are other states having this problem? What are the comments or experiences of the Code Panels or listing agencies such as Underwriters Laboratories, etc.?

The suggestion of a "house" panel, (located remote from the pole) and tapping the section of a utility transformer would eliminate the pole disconnect, altogether. The other issue of concern was to clean up the retrofits, as they also could be a hazard. The Deputy Attorney General, Kay Manweiler suggested the Board give the Bureau time to get more information on this issue, and bring those options back at the next Board Meeting. Chairman Keys stated he felt the Board needed to address it now with the existing situation. Mr. Sherm Akers commented the fuse didn't need to be a breakaway fuse, just an in-line fuse, which can be purchased as a \$10.00 item. There were additional questions regarding the grounding and neutral connections and the NEC requirement for bonding at the service disconnect. Chairman Keys stated the present situation would necessitate the Board to use emergency conditions. Another comment was made, if the Home Owner Association requested the poles and lights (fuses) to be fixed, this would be no different than a new fuse installation. Mr. Ford felt if you had a contract on an installation that is inspected and passed, it is done. The Deputy Attorney General again suggested that due to more questions than answers, the Board give the Bureau more time to look at all the issues and options.

Mr. Brown commented he agreed with the Deputy Attorney General to hold off until the Bureau could address this issue and bring some information back to the Board at the next

meeting, but he still has these disconnects out there that are a hazard, what do we do? Mr. Ford stated the only persons getting into the pole are electricians and the Utility Companies. Mr. Frieze again commented the present devices installed are not suitable for the prevailing conditions and asked the staff to come up with a way that is suitable. Mr. Al Caine addressed the Board by asking, are the breakaway fuses a safe installation? Do we exempt the NEC Code, or add an Administrative Rule? Mr. Bob Scott with Quality Electric stated that using a fuse (plastic or metal) with in a pole, may not meet the code, but it is more safe than what we have now. Currently Eastern Idaho did not have any problems with this installation, and Northern Idaho has the maintenance done by the utilities for lights in subdivisions. Mr. Riley asked what authority does the Board have regarding liability? The Deputy Attorney General answered, the Board has the authority to adopt the NEC and make exceptions. The Board has recognized this may be a hazard and is attempting to study and evaluate the situation, to then make recommendations. This is a bigger issue (that could assume liability) which needs addressed and will take longer than 30 minutes to resolve.

Mr. Ford made a motion to rescind his previous approved motion and presented a new motion in giving the Bureau time to research what other states are doing, other code panels are doing, and what options can be taken by the Board for current installations and compliance of the NEC for Identification and guidelines, and bring the information back to the Board at the next meeting. Mr. Akers seconded the motion, and was passed by all members (unanimously).

Chairman Keys asked the Board if they were satisfied with this because he was not. Chairman Keys stated he agreed with Mr. Brown's motion of accepting the internal fuses (within the poles) during the interim, (effective immediately) pending an alternative to the NEC by an emergency rule that disconnects are not suitable and we act on this issue today. Mr. Brown made a MOTION to accept the internal fuses during the interim and Mr. Riley seconded the motion. The motion was passed by the majority of the Board members, except for Mr. Frieze and Mr. Ford.

Chairman Keys stated from this day forward, it would not be as tough for the contractor. Mr. Mark Nielson asked Chairman Keys if we were not going to follow the NEC Code? Chairman Keys replied, we are saying it is not an acceptable method. This motion and second are on an emergency basis. At this point, basically disregard the NEC pending a come back with a workable solution. Mr. Chris Jensen asked how do we get the word out to the industry? Chairman Keys replied: by correspondence to the industry, inform the utility companies and post it on the web site.

**Swimming Pool Inspections.** Chairman Keys addressed Swimming Pool issue, Mr. Fitzloff explained the bonding inspection of swimming pools is not being permitted or inspected properly. As in the past, the only way to inspect the bonding of a pool was to open up the pool to show the bonding grid. The Bureau has researched and discovered a way to determine the rebar grid resistance, thus substantiating that the pool-bonding grid is completely bonded together. The procedures are listed on pages 107, 108 and 109 of the

board packet. This would be a last resort after all other techniques have been ruled out by the Bureau. Chairman Keys commented this seemed to be reasonable.

**National Association of State Fire Marshals Executive Committee Supporting Arc Fault Circuit Interrupters, AFCI, supporting and endorsing the Technology in all Electrical Distribution Circuits of Residential Occupancies.** Chairman Keys addressed this item asking Mr. Malmen to address the issue. Mr. Malmen stated on pages 110, 111 and 112 of the Board Packet is a letter from National Association of State Fire Marshals, NASFM, Executive Committee, dated August 13, 2003 addressed to Mr. Malmen. This letter was a recommendation and resolution in support of the Arc Fault Circuit Interrupter Technology of residential occupancy and other occupancies related. The membership recommended that all fire service organizations and allied safety organization support AFCI technology. The most recent editions of the National Electrical Code require AFCIs for circuits in (bedrooms), of new homes. The NASFM Committee members felt this could be required more broadly. Therefore, they are addressing this issue in both the National Electrical Code and International Residential Code. Also mentioned, (in this letter), that the members hoped this resolution was helpful for consideration of proposals to maintain and expand the requirements for AFCIs, written and signed by Mr. Donald P. Bliss, President of the Executive Committee.

Mr. Malmen proceeded to the next item, **Abandoned Cables-Plenums**, explaining as on pages 113 through 116 in the packet, a letter to inspectors dated July 22, 2003 from Carlon Lamson and Sessions, the removal of the plenum cables, detailing the 2002 NEC Code changes related to the requirements of removing abandoned cables. The last item Mr. Malmen addressed, EMT, Electrical Metallic Tubing, Rain Tight Fittings in packet pages 117 and 118. The Board had requested at the February 2003 Board meeting for this issue to be reviewed after six months. Mr. Malmen explained that apparently, some EMT fitting manufactures have withdrawn their product from specific testing requirements of UL 514B for "rain tight" labeling and listing. Mr. Malmen stated UL has put out a bulletin on Rain-Tight Fittings, which states in part: *Currently (April 2003), no manufacturer is authorized to mark their Listed compression type EMT fittings with the "Raintight" marking.* Mr. Malmen commented that the Bureau has been informed of (Bridge Port Fittings) have a half (1/2) inch fitting listed for "Rain Tight", also the Bridge Port Fittings are in the process of getting "Rain Tight" listing for up to three-fourths, (3/4) inch and one (1) full inch, and eventually up to two (2) and four (4) inch. Mr. Malmen asked Mr. Bob Eugene, UL for clarification regarding the labeling, listing and inspecting fittings for up to a full (1) inch. Mr. Eugene concurred with Mr. Malmen in stating that UL is working with manufactures and has been successful in the approval for listing of "rain tight" fittings within wet locations. Mr. Malmen also commented there has been a proposal, to the NEC 2005 Code revising Article 358.42-Couplings and Connectors (where applicable), to comply with 314.15(A) Damp or Wet Locations. *Stated in part: fittings installed in wet locations shall be listed for use in wet locations.* This principle has been accepted (as a proposal), by the NEC for 2005 Code revisions. The Bureau is asking the Board for endorsement of the NEC 2002 Articles 100A, 358.42, 314.15 and 110.3(a), which identify the requirements and procedures for "Rain Tight" fittings, also in (Board Packet page 117), to remain in effect. Chairman Keys asked for

input by the Board regarding this information, in hearing none, Chairman Keys asked the Bureau provide updated information to the Board members at the next meeting.

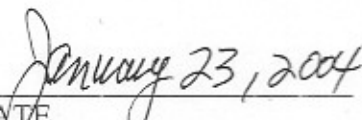
**Compliance Issues/Civil Penalties Report.** This item for discussion was deferred to Mr. Al Caine starting on page 119 through 128. Mr. Caine informed the Board members of one Electrical Contractor, Mr. Kenneth Mark Nielson, with Eagle Rock Electric that has been issued several Civil Penalties. At previous meetings, Board members have discussed individuals avoiding their Civil Penalties. Upon finding a new installation with Mr. Kenneth Mark Nielson, with Eagle Rock Electric in Eastern Idaho, the Bureau filled a complaint with the Prosecuting Attorney in Jefferson County. As on page 122-Packet, is the response letter to this complaint, dated October 9, 2003 by Mr. Stephen J. Clark, Deputy Prosecuting Attorney. The defendant has admitted to our complaint and Mr. Clark has recommended a fine and suspended jail. The suspended jail is based on grounds that he will not perform any electrical work.

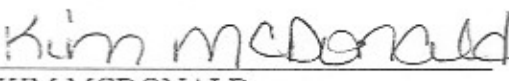
**The Notice of Violations Reports** started on pages 123 and 124 listing the warning letters, page 125 is the listing the Civil Penalties for those who have received warning letters (several times), and failed to respond so they are assessed a Civil Penalty. On page 126 and 127 lists those who have not paid their Civil Penalties and has gone to collections. On page 128 is an update status report of the Civil Penalties through September 2003. Mr. Caine re-iterated that those who have Civil Penalties and (or) Collections can not re-new their licenses until the outstanding fees are paid in full.

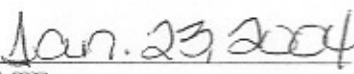
**Schedule 2004 Electrical Board Meetings.** Chairman Keys directed the Board to the calendar for 2004 on page 129 of the packet. The Board agreed to the following: February 19, 2004 in Meridian, May 20, 2004 in Post Falls, August 12, 2004 in Sun Valley and November 18, 2004 in Meridian, Idaho.

Chairman Keys asked the Board for any old or new business, in hearing none, Chairman Keys asked the board for a **MOTION** to adjourn. Mr. Chris Jensen made a motion to adjourn, Mr. Sherm Akers seconded the motion and was passed by the board. The meeting adjourned at 3:15 p.m.

  
 DAVE MUNROE  
 Secretary of the Board

  
 DATE

  
 KIM MCDONALD  
 Minutes Recorder

  
 DATE